

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

TEXAS ASSOCIATION FOR THE	§	
RIGHTS OF THE UNEMPLOYED,	§	
KATHRYN KAWAZOE,	§	
STEPHANIE STOUT, KIMBERLY	§	No. 1:22-CV-00417-DAE
HARTMAN, CHARLES HARMON,	§	
JESUS DUARTE,	§	
<i>Plaintiffs</i>	§	
	§	
v.	§	
	§	
EDWARD SERNA, EXECUTIVE	§	
DIRECTOR, TEXAS	§	
WORKFORCE COMMISSION, IN	§	
HIS OFFICIAL CAPACITY;	§	
<i>Defendant</i>	§	

ORDER

The District Court referred several discovery-related motions to the undersigned for disposition, namely, the motions at docket entries 54, 55, 58, 62, 70, and 72. At the heart of these disputes is whether Defendant should be compelled to respond to discovery pending the District Court's decision on Defendant's combined motion to dismiss and motion for judgment on the pleadings, Dkt. 61. The undersigned set the referred motions for hearing, and after considering the parties' filings, the record, the arguments of counsel at the hearing, and the applicable law, the Court concluded that the most prudent approach to the various disputes set out in these motions was to stay discovery pending the District Court's ruling on Defendant's pending motion to dismiss, which the undersigned found could be decided on the record and the parties' filings as they currently stand. Consistent with that

conclusion, the undersigned stated his rulings on the referred motions, along with the reasons for those rulings, on the record. This order reflects those rulings.

The Court **DISMISSES AS MOOT** Defendant's Motion for Protective Order, Dkt. 54, as it was superseded by Defendants Amended Motion for Protective Order, Dkt. 62. The Court **GRANTS** Defendant's Amended Motion for Protective Order, Dkt. 62, and **ORDERS** that all discovery is stayed pending the District Court's resolution of Defendant's pending motion to dismiss.

The Court **DENIES** Plaintiffs' Motion to Extend Discovery and Other Deadlines, Dkt. 55, **WITHOUT PREJUDICE** to its being reasserted once the Court has ruled on Defendant's pending motion to dismiss.

The Court **DENIES** Plaintiffs' First and Second Motions to Compel, Dkts. 58 and 70, **WITHOUT PREJUDICE** to their being reasserted should these disputes arise again if discovery reopens.

The Court **DENIES** Plaintiffs' Motion for Relief under Rule 56(d), Dkt. 72.

SIGNED August 18, 2023.



DUSTIN M. HOWELL
UNITED STATES MAGISTRATE JUDGE